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Message Text

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61
ORIGIN NASA-04

INFO OCT-01 AF-10 ISO-00 SCI-06 L-03 ACDA-19 CIAE-00

DODE-00 PM-07 INR-10 NSAE-00 NSC-10 RSC-01 EB-11

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66613
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APPROVED BY:AF -DAVID D. NEWSOM
NASA CONCURRENCE:
TD/BROCKETT
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AF/C:JHALLDIGGS
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AMB. MENDENHALL
---------- 130844
O 302354Z NOV 73
FM SECSTATE WASHDC
TO AMEMBASSY TANANARIVE IMMEDIATE

C O N F I D E N T I A L STATE 235709

(A) TANANARIVE 1651 (B) TANANARIVE 1634 (C) STATE 221848
(D) STATE 230708
(E) STATE 230865

1. IN DECEMBER 3 DISCUSSIONS WITH GOMR RE RENEWAL NASA STATION AGREEMENT, EMBASSY REQUESTED TAKE FOLLOWING LINE:

A. PAYMENT OF LUMP-SUM FEE FOR USE OF NASA-OPERATED POINT-TO-POINT COMMUNICATIONS CIRCUIT VIA PERTH ACCOMPLISHED AS DESCRIBED REF A. AMOUNT NEGOTIATED WITH GOMR OFFICIALS. NASA HAS PAID IN FULL FOR ALL OTHER COMMUNICATIONS SERVICES PROVIDED BY MALAGASY AND INTERNATIONAL FACILITIES. THESE CURRENTLY INVOLVE THREE INTELSAT CIRCUITS FROM MALAGASY COMSAT TERMINAL, AT CURRENT ANNUAL RATE OF $572,400.

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B. USG CANNOT ACCEPT GOMR REQUEST FOR PAYMENT OF RETROACTIVE

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LAND RENTAL. LEGAL BASIS FOR US POSITION OUTLINED REFTELS B,
C AND D, AND ALSO USG CONSIDERS GOMR WAIVED RENTAL BY FAILURE
TO ASK FOR IT. IN POINT OF FACT, NO WRITTEN "LEASE" FOR LAND
EXISTS AND NO WRITTEN PROVISION FOR US TO PAY RENTAL EXCEPT
FOR RIGHTS-OF-WAY. HOWEVER, AS EXPRESSED TO GENERAL ANDRIAMAHAZO
IN RECENT WASHINGTON DISCUSSIONS, NASA HAS SINCE 1963 INDICATED
NO OBJECTION IN PRINCIPLE TO RENT FOR LAND UNDER 1963 AGREEMENT
AND SUBSEQUENT RENEWALS AND IS PREPARED MAKE SYMBOLIC GESTURE
TO ACCOMMODATE APPARENT GOMR CONCERNS ABOUT TENANT RIGHTS IN
ABSENCE OF RENT. IN ADDITION TO SUCH SYMBOLIC PAYMENT FOR PAST
PERIOD UNDER EARLIER GOVERNMENTS, NASA AND DEPARTMENT CONSIDER
PAYMENT OF REASONABLE RENT FOR LAND USE DURING CURRENT 1973
CALENDAR YEAR WOULD BE ENTIRELY APPROPRIATE. SUM OF $930
THOUSAND SUGGESTED BY GOMR OFFICIALS COMPLETELY OUT OF QUESTION
AND REPRESENTS HUNDRED FOLD INCREASE OVER SUM OF TWO THOUSAND
MALAGASY FRANCS PER HECTARE QUOTED, HOWEVER "INFORMALLY",
BY AMBASSADOR RAHARIJAONA IN DISCUSSIONS WITH DEPARTMENT AND
NASA ON NOVEMBER 7, 1973 AND AGAIN DURING DISCUSSIONS WITH
GENERAL ANDRIAMAHAZO. ANY "REASONABLE" RENT WOULD HAVE TO BEAR
SOME SENSIBLE RELATIONSHIP TO WHAT ALTERNATIVE USERS OF SUCH
RURAL LAND COULD BE CHARGED.

C. NASA SIMILARLY PREPARED, AS CONFIRMED TO GENERAL ANDRIAMAHAZO,
TO PAY SUCH REASONABLE RENT FOR FUTURE TENURE OF LAND.
GOMR OFFICIALS SHOULD BE REMINDED AGAIN THAT NO OTHER HOST
COUNTRY HAS EVER CHARGED NASA RENT FOR USE OF PUBLIC LANDS.
IT SHOULD ALSO BE MADE VERY CLEAR THAT ANY RENTAL PAYMENTS
WILL HAVE TO COME FROM AMOUNT ALREADY ALLOCATED IN NASA BUDGET
FOR OPERATION OF TANANARIVE STATION. SUCH PAYMENTS MUST THERE-
FORE BE OFFSET BY CONCOMMITTANT REDUCTIONS IN SERVICES PROVIDED
TO THE STDN NETWORK BY THE STATION. THIS COULD MEAN ELIMINATION
OF SOME SYSTEMS AND SOME CUTBACK IN WORK FORCE.

D. NASA EXTREMELY GRATEFUL FOR TEN YEARS OF COOPERATION BY
MALAGASY GOVERNMENTS AND PEOPLE IN OPERATION STATIONS AT MAJUNGA
AND TANANARIVE, WHICH HAVE PLAYED IMPORTANT PART IN STDN NETWORK
OPERATIONS IN MADAGASCAR IF GOMR MAINTAINS UNREASONABLE FINANCIAL
CONDITIONS PUT FORTH IN NOVEMBER 26 OPENING DISCUSSIONS.

2. FYI TREASURY SEARCHING ITS FILES AND THROUGH USDO PARIS
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FOR INDICATION RECEIPT OF CHECK OR VOUCHER FOR $428,000
PAYMENT. END FYI.

3. REQUEST EMBASSY CONTINUE TO HOLD SURPLUS TELECOMMUNI-
CATIONS EQUIPMENT PENDING OUTCOME OF NEGOTIATIONS.
END. RUSH

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